

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL E. KUNZ
CLERK OF COURT

U.S. COURTHOUSE
INDEPENDENCE MALL WEST
601 MARKET STREET
PHILADELPHIA, PA 19106-1797

CLERK'S OFFICE
ROOM 2609
TELEPHONE
(215)597-7704

January 22, 2015

Mr. Antonio Ortiz
#66711-066
FCI
P.O. Box 420
Fairton, NJ 08320

RE: USA v. ANTONIO ORTIZ
Criminal Matter 10-789-1

Dear Mr. Ortiz :

Enclosed herewith is a Notice filed in the above-captioned matter in this court.

In the event that you have any questions concerning this Notice, please feel free to contact
Angela Burge of my staff at 267-299-7160.

Very truly yours,

MICHAEL E. KUNZ
Clerk of Court

Enclosure

cc w/o Enclosure.: United States Attorney
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106

Federal Defender
Curtis Center, Suite 540
Independence Square West
Philadelphia, PA 19106

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

vs.

ANTONIO ORTIZ

CASE NUMBER: 10-CR-789-1

NOTICE

On January 22, 2015, you filed a document concerning Amendment 782 of the Sentencing Guidelines. A copy of your petition has been referred to a committee, appointed by the court, for the purpose of reviewing this particular petition.

On October 6, 2014, this court filed an Administrative Order that appointed the Federal Defender to represent all inmates who are potentially eligible for a sentence reduction pursuant to Amendment 782, with regard to both pending petitions and future petitions. The Federal Defender will contact you concerning your recent filing (if they have not already contacted you). Copies of relevant Administrative Orders entered on October 6, 2014 and November 25, 2014, are attached.

MICHAEL E. KUNZ
Clerk of Court

cc: United States Attorney
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106

Federal Defender
Curtis Center, Suite 540
Independence Square West
Philadelphia, PA 19106

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Pro Se Motions for Retroactive Application of
Amendment 782 to the Sentencing Guidelines**

ADMINISTRATIVE ORDER

1) In Amendment 782 to the United States Sentencing Guidelines, effective November 1, 2014, the Sentencing Commission lowered the penalties for most drug offenses by reducing most offense levels on the 2D1.1 Drug Quantity Table by 2 levels, and making related adjustments. In Amendment 788, the Commission decreed that Amendment 782 may be applied retroactively to lower the sentences of previously sentenced inmates.

2) In its action declaring Amendment 782 retroactively applicable, the Commission specified: "The court shall not order a reduced term of imprisonment based on Amendment 782 unless the effective date of the court's order is November 1, 2015, or later." Thus, beginning on November 1, 2014, courts may address applications for reduced sentences, but no defendant may be released as the result of such an application earlier than November 1, 2015.

3) A committee consisting of representatives of the United States Attorney's Office, the Federal Defenders Association, and the Probation Office ("the committee") will review the files of all drug defendants, organized by release date, and attempt to identify the defendants who will be eligible for a sentence reduction, starting with those defendants who may be released on November 1, 2015. If the parties determine that a defendant is eligible for a sentence reduction, and agree that a reduction is appropriate, the parties will submit a proposed order to this effect. The parties will file proposed orders for those defendants who will be eligible for release on November 1, 2015 as soon

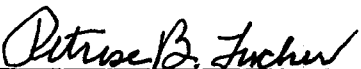
as possible, so as to allow the Bureau of Prisons sufficient time to prepare release plans for these inmates.

4) Many defendants have filed motions for sentence reductions pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 782 before and since the effective date of the amendment, and it is anticipated that many more motions will be filed in the coming weeks.

5) In order to allow the committee sufficient time to conduct the review process and identify and prioritize the eligible defendants, and to avoid unnecessary litigation and waste judicial resources, all motions will be stayed pending completion of the review process and identification of the eligible defendants. The government shall then address the outstanding motions of defendants in an orderly fashion.

Accordingly, on this 25th day of Nov, 2014, it is hereby **ORDERED** that all motions for sentence reductions under Amendment 782 in the United States District Court for the Eastern District of Pennsylvania are hereby **STAYED** to permit the committee to complete the review process and notify the judges of this Court of the eligibility status of all affected defendants. The government is directed to advise the Court 120 days after the entry of this Order of the committee's progress, and the Court will address the further duration of the stay if necessary.

BY THE COURT:



HON. PETRESE B. TUCKER
Chief United States District Court Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Petitions for Retroactive Application of Amendment
Number 782 to Sentencing Guidelines

ADMINISTRATIVE STANDING ORDER

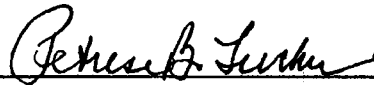
AND NOW, this 6th day of October, 2014, in anticipation of the adoption of Amendment 782 to the United States Sentencing Guidelines, and the Sentencing Commission's decision to make that amendment retroactive becoming effective on _____, it is hereby ORDERED, pursuant to 18 U.S.C. § 3006A, that:

- (1) the Federal Community Defender Office ("Federal Defender") for the Eastern District of Pennsylvania is appointed to represent all inmates potentially eligible for sentence reductions under Amendment 782 to the Sentencing Guidelines for the limited purpose of screening cases, assessing eligibility for relief pursuant to the retroactive amendment, and notifying the defendants or their counsel of the status of their cases;
- (2) the Federal Defender shall contact prior counsel (if prior counsel was not the Federal Defender) to determine if prior counsel intends to represent the inmate. If prior counsel cannot or will not assume this representation or does not respond, the Federal Defender shall request appointment of counsel, if appropriate;
- (3) the Federal Defender shall represent all inmates it previously represented and it shall submit financial affidavits for other inmates whom it seeks to represent;

(4) the United States Probation Office is hereby authorized to disclose to the Federal Defender the judgment, statement of reasons, and presentence report of any defendant who might be eligible for a reduction of sentence based on the retroactive amendment and any other relevant additional documents necessary for the review process; and

(5) the Clerk's Office shall notify the Federal Defender of all past, present, and future *pro se* motions to reduce sentence under 18 U.S.C. § 3582(c)(2) relating to this retroactive amendment.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Petrrese B. Tucker", is written over a horizontal line.

Petrrese B. Tucker
Chief United States District Court Judge